



Southeast Fishery Bulletin

National Marine Fisheries Service, Southeast Regional Office, 263 13th Avenue South, St. Petersburg, FL 33701

FOR INFORMATION CONTACT:

Peter Hood, or Peter.Hood@noaa.gov
727/824-5305, FAX 727/824-5308
<http://sero.nmfs.noaa.gov>

FOR IMMEDIATE RELEASE:

December 21, 2007
FB07-054

Changes Approved to Gulf of Mexico Reef Fish Vessel Monitoring System (VMS) and Red Snapper Individual Fishing Quota (IFQ) Reporting Requirements *Small Entity Compliance Guide*

NOAA's National Marine Fisheries Service (NOAA Fisheries Service) is publishing a final rule revising the VMS reporting requirements and power-down exemptions for the Gulf of Mexico commercial reef fish fishery. In addition, the rule provides new options for fishermen in the red snapper IFQ fishery to provide their 3-hour advanced landing notification. The final rule has an effective date of January 26, 2007.

VMS Issues

Currently, all owner/operators of vessels with a commercial vessel permit for Gulf reef fish are required to have an operating VMS unit onboard. This includes charter vessels and headboats with a commercial vessel permit for Gulf reef fish, even when under charter. This program was implemented through Amendment 18A to the Fishery Management Plan (FMP) for the Reef Fish Fishery of the Gulf of Mexico.

Requirements for this commercial reef fish VMS program include a provision for the VMS unit to send a position report to NOAA Office of Law Enforcement (OLE) once an hour, 24 hours a day. An unintended consequence of this action is a vessel, while in port, can have its battery drained unless hooked up to an external power source. This is because some VMS units draw more power than anticipated.

The final rule provides measures to rectify these issues which include:

- (1) An in-port exemption allowing a VMS unit to send a position report once every four hours, rather than every hour.
- (2) Expansion of the power-down exemption to include a vessel that is "in port" for 72 consecutive hours or more.
- (3) A more logical explanation of how owners/operators of qualified vessels can apply for and obtain a VMS power-down exemption.

Power-down exemptions will apply to any vessel continuously out of the water or in port for more than 72 consecutive hours. The vessel owner must obtain a valid letter of exemption from the OLE VMS program office and comply with all conditions and requirements of that letter, and a copy of the letter of exemption must be on the vessel with their permit at all times. Prior to the power down, the owner or operator of the vessel must file a report to OLE VMS program personnel via the VMS unit's e-mail, that includes the name of the person filing the report, vessel name, vessel U.S. Coast Guard documentation number or state registration number, commercial vessel reef fish permit number, vessel port location during VMS power down, estimated duration of the power down exemption, and reason for power down. The owner or operator enters the power-down code through the use of the VMS Declaration form on the terminal and receives an e-mail confirmation of the power-down authorization from OLE.

Contact information for OLE is:

NOAA Fisheries Service
Office for Law Enforcement, Southeast Region
263 13th Avenue South
St. Petersburg, Florida 33701
Phone: (800) 758-4833; Fax: (727) 824-5318

IFQ Issues

Amendment 26 to the Reef Fish FMP established the red snapper IFQ program. A part of this program requires the owner or operator of a vessel landing IFQ red snapper to notify OLE of the time, location of landing, and name of the IFQ dealer where the red snapper are received. This notification must occur by telephone 3 to 12 hours in advance of landing in the IFQ program. However, reliance on a telephone-based notification method has proven to be impractical in some circumstances (e.g., where cell phone range is inadequate). Thus, in addition to reporting via telephone, IFQ participants will now be able to report a

three-hour notification of landing through their VMS unit, or by completing an electronic form available on the Southeast Regional Office's IFQ Web site (<http://sero.nmfs.noaa.gov/>).

How Can We Improve These Fishery Bulletins?

If you have any suggestions on how we may improve the contents of future fishery bulletins please contact:

Kim Amendola, Communication Specialist,

Phone: 727-551-5707, FAX: 727-824-5320,

e-mail: SERO.Communications.Comments@noaa.gov

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FB07-054